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IN THE UNITED STATES DISTRICT COURSEIVED
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

2008 FEB 13 P 2:5

DEPARTMENT OF HARRIS HACKETT, OLM
MIDDLE DISTRICT COURT
MIDDLE DISTRICT OF ALA

ALONZO AUSTIN
Plaintiff

V.

GLOBAL CONNECTION INC.
OF AMERICA et, al.
Defendants

CASE Number

3:07-CV-042 MEF

VIA Certified Mail

PLAINTIFF OBJECTION AND MOTION TO STRIKE

Now comes Plaintiff, ALONZO AUSTIN, and hereby objects to Defendants, GLOBAL CONNECTION INC. OF AMERICA et, al., "Motion for Summary Judgment" (Doc. # 57-58) on February 1, 2008, and the documents annexed thereto for the reasons that:

(1) Defendants failed to properly obtain Leave of Court for enlargement of time to file their "Motion for Summary Judgment" (Doc. 57-58) filed on February 1, 2008, in accordance with Federal Rule of Civil Procedure (6)(b).

(2) Plaintiff further submits that it is being unfairly prejudiced by the untimely submission of these documents by Defendants.

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inasmuch as Plaintiff, was already operating under a Court imposed deadline to submit its Dispositive Motion, with accompanying brief by January 31st, 2008, (See Section 3 (Doc. #54-1))

(A) Given the fact that Defendant's, "Motion for Summary Judgment" (DTC#57-58, filed on February 1st, 2008, was untimely filed. Said documents are irrelevant, and therefore, are inadmissible as evidence Evid. R. 402.

THEREFORE, Plaintiff, respectfully moves this honorable Court for the entry of an order striking these documents from the record, and further, request that same not be otherwise considered by this Court in Ruling upon the within matter.

Respectfully Submitted;

Alonzo Austin

Alonzo Austin Pro Se

Alonzo Austin

1321 Oliver-Carlis Rd.

Tuskegee, Al. 36083

Ph# (334) 727-5476

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Via Certified Mail

CERTIFICATE OF SERVICE

I do hereby Certify that I have Served
a copy of the foregoing documents
upon.

GLOBAL CONNECTION INC. OF AMERICA et al,
c/o MCKOOL AND ASSOCIATES
P.O. Box 3220

Phoenix City, AZ, 85068-3220

The Defendants, by placing same in the
U.S. mail, postage prepaid on this
the 13th day of February, 2008.

Alonzo Austin
by Alonzo Austin pro se

ALONZO AUSTIN

1321 River-Calls Rd,

Turlock, CA, 95380-3

Ph # (334) 727-5476

TOF/

NOTICE

February 13, 2008

ALONZO AUSTIN

1321 Oliver-Carlis Rd.

Tuscaloosa, AL 36083

Ph#(334) 727-5476 or Fax#(334) 727-2159

MCKOON & ASSOCIATES

ATTORNEY AT LAW

P.O. Box 3220

Phenix City, AL 36868-3220

(334) 297-2300 or Fax#(334) 297-2777

Dear: Mr. McKoon

Re: ALONZO AUSTIN V. GLOBAL CONNECTION INC.

OF AMERICA et. al. IN THE UNITED STATES

DISTRICT COURT, FOR THE MIDDLE DISTRICT

OF ALABAMA, EASTERN DIVISION.

CASE Number, 3:07-cv-042

Pursuant to Document # 54-1, 12/18/2007, the Amended Scheduling Order, Section 4 Settlement, both parties you and I are to conduct a Second Settlement Conference and ~~further~~ more, we may conduct same telephonically with respect to same please contact me today or tomorrow by either telephone or facsimile to schedule said conference. I am also filing a copy of this letter today with the Clerk. Sincerely, Alonzo Austin